THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.21133 OF 2005

Dt:28.09.2005

Between:

The Depot Manager,APSRTC

.. Petitioner

and

Smt.K.Padma and another

.. Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.21133 OF 2005

ORDER:

The first respondent was employed as a conductor by the petitioner on casual basis in 1997. She was removed from service on the ground that she was employed as a P.E.T. in a private college, by the time she was appointed as conductor. After the writ petition filed by her was dismissed, she filed I.D.No.121 of 2000 before the Labour Court, Guntur. Through Award, dated 29.10.2004, the Labour Court set aside

the order of removal and directed the petitioner to appoint the first respondent as a fresh conductor. The same is challenged in this writ petition.

Heard the learned standing counsel for the Corporation.

A perusal of the Award and other connected record disclose that the first respondent was employed as P.E.T., before she came to be selected as a conductor on casual basis. In all fairness, she admitted that she continued on part-time basis as P.E.T., even after being appointed as casual conductor. She resigned to that post shortly thereafter. It is a matter of record that the disciplinary proceedings were initiated against the first respondent, three months after she resigned for the post of P.E.T. It is true that the first respondent ought not to have continued as P.E.T., after being appointed as conductor on casual basis. However, having regard to the fact that the appointment of conductor was only on casual basis, the first respondent cannot be said to have conducted any serious irregularity in continuing as P.E.T., to eke-out her livelihood. The Labour Court took these aspects into account and directed that the first respondent be appointed as conductor afresh. In fact, she lost the benefit of her past service, this Court does not find any basis to interfere with the Award passed by the Labour Court.

The writ petition is accordingly dismissed.

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28.09.2005

kdl